



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3503 FAX (603) 271-5171



January 27, 2003

LETTER OF DEFICIENCY #WSEB 03-008
CERTIFIED MAIL# 7099 3400 0003 0689 7014

David Paglierani
Riverview Manor
202 State Route 27, Unit 8
Raymond, New Hampshire 03077

Subject: Raymond - Public Water System: Riverview Manor (EPA #1972020)
Sources 002 and 003

Dear Mr. Paglierani

The records of the Department of Environmental Services (DES) show that the Riverview Manor water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more services, or 25 or more people for 60 or more days per year. As such, the water system owner is required to comply with NH Admin. Rule Env-Ws 300 *et seq.* - *New Hampshire Drinking Water Rules*. Env-Ws 378.06(d), *Site Selection of Small Production Wells for Community Water Systems, Sanitary Protective Area*, requires that all land in a sanitary protective area (SPA) of a public water supply well be owned or controlled by perpetual easement by the owner of the water system.

The February 2, 1998 approval from DES to use sources #002 and #003 as public drinking water wells stipulated that a copy of the easements granted to Riverview Manor Limited Partnership for the portions of the SPA not owned by the water system must be provided to DES prior to the connection of the wells to the water system. Despite several attempts by DES staff to contact the system representatives by both telephone and letter to obtain copies of the easements, the copies have never been received by DES. The failure to submit proof that it controls, by way of easements, those portions of the SPA not owned by the water system places the water system in violation of Env-Ws 378.06(d).

DES believes the cited violation can be corrected by taking the following action


By March 31, 2003, provide DES with a copy of the recorded easement(s) granting the Riverview Manor water system control of the sanitary protective areas not owned by the water system for the subject wells.

In the event compliance is not achieved within this period, DES may take further enforcement action, including issuing an order requiring the deficiencies be corrected, initiating an administrative fine proceeding and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

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Please contact Diana Morgan at (603) 271-2947 or dmorgan@des.state.nh.us if you have any questions regarding this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony P. Giunta", is written over a large, bold, black "COPY" stamp.

Anthony P. Giunta, P.G., Administrator
Water Supply Engineering Bureau

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cc: Gretchen Rule, DES Legal Unit
Jane Reed, Great North Property Management
Henry Deboer, Primary Operator
Richard Mailhot, Sr., Town of Raymond Health Officer
EPA, Region 1